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**Planning Department
Town of Groton, CT**

Attachment 1

**Application for Site Plan Review – 79 Gold Star Highway, Groton, CT
Curaleaf Groton LLC - Applicant**

Application Narrative

This narrative is in support of the Application for a Site Plan review for the conversion of an existing medical marijuana dispensary to a cannabis hybrid retailer (medical marijuana dispensary/adult-use cannabis retail) submitted by Curaleaf Groton LLC (the “Applicant”) under Sections 4.1 (Table of Permitted Uses), 5.1-15 (Adult-Use Cannabis Uses) and 9.5 (Site Plan and Coastal Site Plan) of the Town of Groton (“Town”) Zoning Regulations (the “Zoning Regulations”). The Applicant currently operates the existing medical marijuana dispensary located at the property known as 79 Gold Star Highway, Groton (Parcel Identification Number 168912757008) (the “Property”). This application proposes the conversion of this facility into a cannabis hybrid retailer.

Background

A medical marijuana dispensary currently operates at the Property under an administrative site plan which was approved on June 18, 2019 by the Town’s Assistant Director of Planning and Development Services, Deborah Jones. The medical marijuana dispensary was considered a confirming use allowed under the Town’s Zoning Regulations per a letter from the Town’s former Manager of Inspection Services, Kevin A. Quinn, dated February 28, 2019. Subsequent building permits were issued for interior remodeling (on March 12, 2020) and signage (on October 2, 2020) associated with the medical marijuana dispensary.

Proposal

With the legalization of recreational adult-use cannabis in the State of Connecticut in June of 2021, municipalities were authorized to either permit or prohibit cannabis establishments through zoning codes or ordinances. The Town’s Planning and Zoning Commission (the “Commission”) adopted amendments to the Zoning Regulations on April 11, 2023 that become effective on May 15, 2023 allowing cannabis establishments subject to conditions. Specifically, cannabis hybrid retailers are allowed if they meet the conditions of Section 5.1-15.A of the Zoning Regulations.

The Applicant proposes converting its existing medical marijuana dispensary into a hybrid retailer under the provisions of Sections 4.1 and 5.1-15.A of the Zoning Regulations. The proposal also includes the installation of additional wall signage to the front of the building as shown in the attached signage plans. An existing monument sign associated with the Applicant will remain.

Permitted with Conditions

Section 5.1-15.A of the Zoning Regulations outlines the conditions under which the retail sale of cannabis for off-premises consumption is allowed. The Application and the Property satisfy all such conditions, as discussed further below.

Condition 1, Distance Between Establishments: There are no other permitted adult-use cannabis establishments located within 1,500 feet of the Property.

Condition 2, Distance from Protected Uses: No elementary or secondary school, church or other place of worship, hospital, charitable institution, or veterans' home or any camp, barracks or flying field of the armed forces are located within 1,500 feet of the Property.

Condition 3, Security Plan: The Applicant has submitted a written security plan to prevent and detect diversion, theft or loss of cannabis with this Application. The security plan was also submitted to the Town's Chief of Police on May 3, 2023. Review by the Chief of Police is still in progress as of the submission of this Application.

Condition 4, Permit Issuance: Following site plan approval from the Commission, the Applicant will proceed to obtaining a license to operate a cannabis establishment from the State of Connecticut (the "State"). Once the State has issued a license, the Applicant will provide a certified copy to the Town prior to issuance of the final zoning permit.

Condition 5, Medical Marijuana Dispensary Facility: Not applicable since this will be a hybrid retailer facility.

Surrounding Area

The area surrounding the Property is zoned CR (Commercial, Regional District). All immediately adjacent properties contain commercial uses, including a hotel to the south, a hotel to the east, and a retail shopping plaza to the north. To the west is a ramp connecting Gold Star Highway (also known as Route 184) to Route 12. The nearest residential uses are just over 400 feet to the south and east of the Property.

Waivers Requested

Since no changes or modifications are planned for the building or existing site conditions as part of this Application, the Applicant requests waivers of the following site plan submission requirements:

- 1) **Site plan** – A survey showing existing conditions at the Property has been submitted with this application. No changes are proposed to the Property other than wall signage and interior renovations. The survey shows a total of 21 existing parking spaces, which will remain. Under Section 8.2-1 of the Zoning Regulations, parking requirements do "not apply to reoccupation of an existing building where there is no change of use or any physical alteration...so long as the existing parking is maintained." This Application proposes the conversion of a medical marijuana dispensary to a cannabis hybrid retailer, which is a similar use and does not constitute a change in use. Therefore, as long as the

existing 21 spaces are maintained, the parking requirements do not apply to this Application.

- 2) **Landscaping plan** – No changes to the existing landscaping are proposed with this Application. The existing landscaping in front of the building will remain, as will the existing lawn areas along Gold Star Highway and existing wooded area behind the building.

Site Plan Objectives

Section 9.5-4 of the Zoning Regulations outlines the objectives that the Commission must consider when reviewing site plan applications. The proposed Application accomplishes the applicable objectives, as discussed further below.

Town Plan Conformance: The Application is consistent with the Town’s 2016 Plan of Conservation and Development (the “POCD”). The Property falls within the area identified in the POCD as the Route 12 Commercial Area which is proposed for retail and service commercial development types.¹ The POCD encourages the development and redevelopment of fully serviced sites, noting that it “takes advantage of past investments, reinvests in older developed areas, and operates within existing hydrological systems, helping to safeguard the water supply against depletion and degradation. Established development areas that receive reinvestment build upon existing strengths and help to establish a community’s firm sense of place.”² Further, the POCD states that “[e]mphasis should be placed on assisting existing businesses and creating a friendly environment for local entrepreneurs.”³

The Property is an older existing developed site where the Applicant already operates a medical marijuana dispensary. The Application proposes further investment into the Property to convert their operation to a hybrid retailer. This will result in greater economic activity at the Property which may support surrounding businesses along the Gold Star Highway commercial corridor.

Public Safety: The Property is and will remain readily accessible for fire and police protection. For additional details on the security measures to be implemented at the Property, please see the attached security plan which has been submitted to the Town’s Chief of Police.

Traffic Access: The existing traffic accessway to the Property from the Gold Star Highway will remain unchanged. This accessway consists of a separate, one-way, right-in entrance and right-out exit driveway from the parking area to the eastbound lanes of the Gold Star Highway and provides sufficient access to the Property without creating traffic hazards.

Circulation and Parking: There are 21 existing parking spaces provided at the Property, which will remain. Each of the spaces is provided with adequate maneuvering area. As previously

¹ POCD, pg. 3-10

² POCD, pg. 3-55

³ POCD, pg. 3-59

discussed, the existing 21 parking spaces provided at the Property will be maintained and no additional parking is required under Section 8.2-1 of the Zoning Regulations.

Additionally, in reference to the establishment of a medical marijuana dispensary at the Property, The Town's former Manager of Inspection Services, Kevin A. Quinn, stated in a letter dated February 28, 2019, that the "property has 19 dedicated parking spaces and is pre-existing, non-conforming as it relates to the parking requirements per the zoning regulations. The proposed use, if implemented, will not affect the pre-existing, non-conforming status as it pertains to parking." Since the proposed conversion to a cannabis hybrid retailer is a similar use and no changes to the Property other than interior renovations and wall signage are proposed, the parking non-conformity is still applicable.

Landscaping and Screening: The Property has existing landscaping located in front of the building, which is to remain. All existing lawn areas located along the Gold Star Highway and on the edges of the parking areas will be maintained. Additionally, the existing wooded vegetation located to the rear of the building will remain. Since the Application proposes a change in use from a medical marijuana dispensary to a cannabis hybrid retailer with no exterior or site changes proposed other than wall signage, a full re-landscaping of the Property is not proposed with this Application.

Lighting: No changes to exterior lighting are proposed. All exterior lighting will remain properly shielded from the view of adjacent property and public rights-of-way and will not be directed up into the sky.

Public Health: The Application will not have an adverse effect on air, water, or land pollution and will protect the public health, safety, and welfare.

Environmental Features: No changes to the Property are proposed that would impact any sensitive environmental land features such as steep slopes, wetlands, large rock outcroppings, scenic views, or historically significant features.

Neighborhood Character: All uses immediately surrounding the Property are commercial in nature and include hotels and retail uses. The proposed cannabis hybrid retailer use is consistent and in general harmony with the surrounding commercial uses. The existing medical dispensary operation is not hazardous or otherwise detrimental to the appropriate and orderly development or use of adjacent land, buildings, and structures. The proposed cannabis hybrid retailer will similarly not create and hazard or detriment to the surrounding properties.

Long Island Sound: The Property is not located within the Coastal Area Management Zone. The Application does not include any changes to the Property that would affect the ecosystem and habitat of the Long Island Sound.

Conclusion

The Application proposes the enhancement of an existing business located within a commercial property on the Gold Star Highway through conversion from a medical marijuana dispensary to a cannabis hybrid retailer use without any exterior changes beyond wall signage. Under the recently adopted amendment to the Zoning Regulations, the Town allows cannabis hybrid

retailers in the CR zoning district if such use meets the conditions outlined in Section 5.1-15.A of the Zoning Regulations. The Application meets all such conditions, so the Applicant respectfully requests that the Commission approve the Application.